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MINISTRY OF HEALTH  
(Delhi Development Provisional Authority)  
NOTIFICATIONS

*New Delhi, the 11th November 1955*

**S.R.O. 3486.**—In exercise of the powers conferred by section 4 of the Delhi (Control of Building Operations) Ordinance, 1955 (5 of 1955), the Delhi Development Provisional Authority hereby declares—

- (a) the entire area in the State of Delhi falling outside the local limits of the jurisdiction of the local authorities specified in Schedule I annexed hereto; and
  - (b) each of the areas falling within the local limits of the jurisdiction of any of the aforesaid local authorities and specified in Schedule II annexed hereto,
- to be controlled areas for the purposes of the said Ordinance.

**SCHEDULE I**

1. Delhi Municipal Committee
2. New Delhi Municipal Committee
3. Shahdara Municipal Committee
4. Notified Area Committee, Civil Lines
5. Notified Area Committee, Najafgarh
6. Notified Area Committee, Mehrauli
7. Notified Area Committee, Narela.

**SCHEDULE II**

1. *Delhi Municipal Committee:*
  - (a) All the area covered by the Delhi Improvement Trust Town Expansion Schemes;
  - (b) All the area east of the City Wall upto Yamuna River;

- (c) All areas left as open parks, play grounds and gardens and open areas attached to or within the boundaries of all ancient monuments.

2. *New Delhi Municipal Committee:*

- (a) All the area covered by the Delhi Improvement Trust Town Expansion Scheme;
- (b) All the area east of City Wall and east of Mathura Road upto Yamuna River;
- (c) All the area south of the railway line from Nizamuddin Railway Station to Safdarjang Railway Station;
- (d) All the area west of the reserved forest including the reserved forest and west of the Khushak Nala upto the boundary of the New Delhi Municipal Committee and bounded on the north by the boundary of the Delhi Municipal Committee;
- (e) All the area left as open parks, play grounds and gardens and open areas attached to or within the boundaries of all ancient monuments.

3. *Shahdara Municipal Committee:*

All the area within the jurisdiction of the Shahdara Municipal Committee except the built up city area bounded by north-railway line, east-Circular Road, south-Pandoo Road, west-60' wide road on the eastern boundary of Bhola Nath Nagar.

4. *Notified Area Committee, Civil Lines:*

- (a) All the area covered by the Delhi Improvement Trust Town Expansion Scheme;
- (b) All the area east of Timarpur Road and north of Khyber Pass;
- (c) All areas left as open parks, play grounds and gardens and open areas attached to or within the boundaries of all ancient monuments.

S.N. SAPRU,  
Secretary,  
Delhi Development Provisional Authority.

[No. 1(4)/55-Admn.]

**S.R.O. 3487.**—In exercise of the powers conferred by the proviso to sub-section (1) of section 19 of the Delhi (Control of

Building Operations) Ordinance, 1955, (5 of 1955) the Central Government hereby makes the following Regulations, namely:

### CHAPTER I—GENERAL

- |                                                                                                                                                                                                                                                                                                                                             |                                       |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|
| 1. These Regulations may be called the Delhi (Control of Building Operations) Regulations.                                                                                                                                                                                                                                                  | Short title                           |
| 2. In these Regulations, unless the context otherwise requires—                                                                                                                                                                                                                                                                             | Definitions                           |
| (a) "Authority" means the Delhi Development Provisional Authority constituted under section 3 of the Ordinance;                                                                                                                                                                                                                             |                                       |
| (b) "Ordinance" means the Delhi (Control of Building Operations) Ordinance, 1955 (5 of 1955);                                                                                                                                                                                                                                               |                                       |
| (c) "Secretary" means the Secretary of the Authority.                                                                                                                                                                                                                                                                                       |                                       |
| 3. (1) The Authority shall meet and shall from time to time make such arrangements not inconsistent with the Ordinance with respect to the place, day, hour, notice, management and adjournment of its meetings and generally with respect to the transaction of business as it may think fit, subject to the following provisions, namely: | Conduct of business by the Authority. |
| (a) an ordinary meeting shall be held once at least in every month;                                                                                                                                                                                                                                                                         |                                       |
| (b) the Chairman may, whenever he thinks fit, and shall upon the written request of not less than two members, call an extraordinary meeting;                                                                                                                                                                                               |                                       |
| (c) no business shall be transacted at any meeting unless at least four members are present from the beginning to the end of the meeting;                                                                                                                                                                                                   |                                       |
| (d) every meeting shall, if the Chairman is present, be presided over by him and if he is absent, by such one of the members present as may be chosen by the meeting;                                                                                                                                                                       |                                       |
| (e) all questions shall be decided by a majority of votes of the members present and voting, the person presiding having a second or casting vote in all cases of equality of votes;                                                                                                                                                        |                                       |
| (f) if a poll be demanded, the names of the members voting and the nature of their votes shall be recorded by the person presiding;                                                                                                                                                                                                         |                                       |
| (g) minutes shall be kept of the names of the members present and of the proceedings at each meeting in a book to be provided for this purpose, which shall be signed at the ensuing meeting by the person presiding at such meeting, and shall be open to inspection by any member during office hours;                                    |                                       |
| (h) all orders and other instruments made and executed in the name of the Authority shall be authenticated by the signature of the Secretary of the Authority or by any other officer of the Authority authorised by it in this behalf.                                                                                                     |                                       |

(2) No person shall be entitled to object to the minutes of any meeting unless he was present at the meeting to which they relate.

## CHAPTER II

### PERMISSION FOR DEVELOPMENT OF LAND

Application  
for permission

4. Every person desiring to obtain the permission referred to in section 6 of the Ordinance shall make an application in writing to the Secretary of the Authority in the form prescribed in Schedule I to these Regulations.

Principles  
under which  
applications  
for permission  
under the Or-  
dinance are to  
be granted.

5. The Authority while granting or refusing permission for development and building operations in controlled areas shall be guided by the principles set out in the following paragraphs:—

(1) *For the purposes of the following paragraphs:—*

- (i) 'colony' means an area of land which is developed by a coloniser for the purposes of subdividing it into plots for building houses thereon.
- (ii) 'coloniser' means a private individual or company, association or body of individuals, whether incorporated or not, (including a cooperative society) owning or acquiring whether by purchase or otherwise any area of land and thereafter sub-divide it into plots and either sell or lease out such plots for purposes of erecting buildings thereon or erect buildings on those plots and sell or lease out such plots with the buildings.

(2) *Permission for any individual persons.*

- (i) In areas which have been surveyed and for which a layout acceptable to the Authority has been prepared permission for erecting building on a plot of land owned by any individual may be granted on a charge of Re. 0-8-0 per square yard plus a further charge as may be fixed by the Authority for the internal development of the land: subject to the conditions that the individual should follow the architectural standards fixed by the Authority and will have the building plans passed as required by the competent local authority having jurisdiction on that land under its building bye-laws.
- (ii) on such permission being granted the individual shall only be entitled to use the land and building thereon for the specific purpose mentioned in the permission.
- (iii) Any individual who owns a plot or a piece of land within a colony shall not be granted permission to erect a building unless the coloniser has executed an agreement referred to in paragraph 3 below for the internal development of the land.
- (iv) In cases where the coloniser has not executed an agreement with the Authority for internal development, permission to erect building may be given to individual owners within a colony provided that such amount as may be specified by the Authority for internal development of all the land included within a colony is deposited with the Authority.

- (v) Permission for erecting buildings in areas which have not been surveyed and for which layout plans have not been prepared shall not ordinarily be granted unless the area is a compact area and it is possible in the discretion of the Authority to accommodate it in the layout plan of the locality if and when it is prepared. In all such cases the decision of the Authority shall be final.
- (vi) An application for permission to erect a building on an area which does not conform to the lay out or where the site is earmarked for roads, parks or other public utility services or any area which is in the discretion of the Authority not capable of fitting in the general layout of the locality shall be rejected.
- (vii) An application from any individual for the use of land other than for erecting a building shall state the specific purpose for which the land will be used and will be sanctioned or rejected by the Authority at its discretion.
- (viii) These principles shall be taken as general guiding principles and shall not fetter the discretion of the Authority in any way whatsoever in granting or refusing permission.

### 3. *Permission for a Coloniser.*

- (i) Permission for developing an area of land as a colony shall be applied for by a coloniser and may be granted on a charge of Re. 0-4-0 per square yard of gross area, subject to the fulfilment of the other principles given in the following paragraphs.
- (ii) Before a coloniser undertakes to sub-divide a plot of land into building plots, he shall enter into an agreement with the Authority for the internal development of the land to the satisfaction of the Authority. The internal development of the land shall include :—
  - (a) levelling,
  - (b) roads,
  - (c) storm water drains,
  - (d) street lighting,
  - (e) water supply,
  - (f) provision of open spaces for parks, play grounds and the like,
  - (g) sewerage,
  - (h) earmarking and leaving out open sites for schools, dispensaries, community centres and other such public utility services.
- (iii) The agreement with the Authority may require the coloniser to deposit a sum specified by the Authority as a guarantee of the intention of the coloniser to carry out development in accordance with the standards laid down by the Authority and to its satisfaction: provided that this sum may be refunded either in a lump sum or by

instalments as and when the Authority is satisfied that the various items of internal development have been carried out.

- (iv) The coloniser shall transfer to the Authority free of cost the total land in the colony under roads, public parks and such other public utility services including the land set apart for schools, hospitals and similar public institutions provided that in the case of land set apart for schools, hospitals, community centres and other public institutions the coloniser may be permitted to transfer such land on a no-profit no-loss basis to a person or philanthropic or local body after obtaining the approval and sanction of the Authority.
- (v) The coloniser shall be responsible for the maintenance of services including sanitation of the colony until such time as the Authority or the local body takes over such services. Normally the period for which the coloniser shall be responsible for the maintenance of the services may not exceed twelve months after the issue of the completion certificate by the Authority.
- (vi) Where the coloniser after entering into an agreement fails to carry out the development in accordance with the standards laid down by the Authority the specified sum deposited by the coloniser shall be forfeited to the Authority and the Authority shall be free to carry out development in the colony and recover such charges as it may incur on the development from the coloniser.
- (vii) The coloniser shall ensure that any agreement he makes with the Authority in so far as it affects the individual (or individuals) to whom he sells plots is made binding on him (them) and for this purpose the form of the deed of the sale or lease transaction entered into with the purchaser of a plot of land shall have the prior approval of the Authority: provided that such sale or lease deed shall contain a binding clause on the coloniser to provide services to the satisfaction of the Authority.
- (viii) The application of a coloniser whose layout is not considered suitable shall be rejected.
- (ix) The application of a coloniser for the development of an area where the Authority considers that a residential colony is not suitable from its point of view shall also be rejected.
- (x) Use of land on plots in the colony shall be in accordance with the sanction of the Authority.
- (xi) Before buildings are erected on any colony every plot holder shall obtain the sanction of the Authority for such a building.
- (xii) The above principles shall be taken as general guiding principles and shall not fetter the discretion of the Authority in any way whatsoever in granting or refusing permission.

## CHAPTER III

## ACCOUNTS &amp; AUDIT

6. (1) All moneys at the credit of the Authority shall be kept in a current account in the name of the Authority to be opened in the State Bank of India, New Delhi. The account will be operated upon by the Secretary.

(2) The Authority shall be responsible for keeping a proper account of receipts and expenditure including assets, liabilities, advances, loans etc.

(3) The accounts of the Authority shall ordinarily be audited under the orders of the Accountant General, Central Revenues, at intervals not exceeding one year and the Chairman of the Authority shall be responsible that accounts and other connected records are made available for inspection. The Authority shall pay to Government the cost of such audit, which will be calculated according to such orders as may be laid down by the Government from time to time.

(4) All receipts of the Authority shall be credited to its account in the State Bank of India and all disbursements shall be made from moneys drawn by the Authority from the State Bank of India. All money received for credit to and all payments made by the Authority shall be entered in a Cash Book which shall be closed and balanced daily. All transactions shall be entered in the Cash Book as soon as possible after the date of their occurrence and he shall initial the Cash Book after the last entry checked. The Cash Book shall be signed by him at the end of the month and such signatures shall be understood as fixing responsibilities for all the entries of the month inclusive of the closing balances.

(5) No moneys shall be paid from the funds of the Authority except on an order to pay signed by the Chairman; provided that the Chairman may delegate his power in this regard to the Secretary, subject to such restrictions as he may think fit.

(6) For payment every item of expenditure shall be entered in a bill containing the necessary details. The bills and supporting vouchers shall be examined by the Secretary of the Authority and if the claim is admissible, the authority good, the signatures true and in order, and the receipt a legal quittance, he shall, if he has the powers, make an order to pay on the bill and sign it, or submit the bill for the pay order of the Chairman. The pay order shall specify the amount payable both in words and figures. The Secretary of the Authority shall be personally responsible that the bill is complete and affords sufficient information as to the nature of the payment and that the payee actually received the sum passed.

(7) Pay and allowances of the Officers and establishment in the employment of the Authority shall be drawn separately at the rates according to the terms of their service.

(8) In order to facilitate the check of pay bills and to ensure that no fixed charge is paid twice over, an Establishment Check

Register shall be maintained. Sanctions to and payment of recurring charges *e.g.*, rent of buildings, telephone rents, etc. shall also be recorded in this Register.

(9) With the exception of the pay, allowances etc., of non-gazetted establishment which have necessarily to be paid in cash, all payments of sums exceeding Rs. 20/- shall ordinarily be made by cheques drawn in favour of the payee.

(10) In order to meet petty cash payments an account of miscellaneous contingent charges *e.g.*, postage, telegrams, stationery etc., the Secretary shall be allowed a permanent advance of Rs. 100/- which shall be recouped as and when required or in any case on the last working day of each month. An account of this advance will be maintained in a separate register.

(11) Provision of the Account Rules of the Delhi Improvement Trust in so far as they relate to the custody of cash, writing of the Cash Book, issue of receipts for moneys received, preparation and payment of bills, issue of cheques, drawing of cash for actual disbursement, compilation of accounts, prescription of forms and registers and all other matters connected with the maintenance of proper accounts and registers, and service documents of the establishment, will apply *mutatis mutandis* to the Authority except that a reference to "Accounts Officer" in the Trust Account Rules will mean a reference to the Secretary of the Authority.

(12) The Secretary may delegate all or any of his powers under this Chapter to any other officer under his administrative control

### SCHEDULE I

Form of application under sub-section (1) of Section 7 of the Delhi (Control of Building Operations) Ordinance, 1955.

(See Chapter II—Regulation 4)

From:—

To

The Secretary of the Delhi Development Authority,  
Regal Buildings,  
New Delhi.

Dated

1955.

Sir,

I/We beg to apply for permission (a) to undertake or carry out the development of the site described below, (b) to erect any building on the site described below, (c) to make or extend any excavation on the site described below, (d) to layout any means of access to the road described below.

I/We attach a site plan in triplicate (blue-prints or regular plans on oil cloth) showing the position of the site proposed to be developed or excavated or the plot proposed to be built upon in

relation to its surroundings and the sanctioned layout of the Delhi Development Provisional Authority, of any.

I/We shall submit a site plan in triplicate (Blue-prints or regular plans on oil cloth), elevations, and specifications of the proposed building as required by the Municipal Bye-laws applicable to me/our area.

I am/We are the owner/owners lessee/lessees of the land for which I am/We are applying.

Yours faithfully,

Signatures \_\_\_\_\_

Description of the land.

2. Purpose for which the building would be used *e.g.*, the uses of the land:—

[No. F.30-8/55-LSG.]

A. V. VENKATASUBBAN, Dy. Secy.

